

REMARKS

Claims 1, 2, 4, 6-10, 12, 15 and 16 were pending in this application, with claims 3, 5, 11 and 14 having previously been canceled, without prejudice or disclaimer. By the present Amendment, claim 15 has been canceled, without prejudice or disclaimer, and claims 1 and 2 have been amended to clarify the claimed subject matter. Claims 1, 2, 4, 6-10, 12 and 16 would remain pending upon entry of this Amendment, with claims 1 and 2 being in independent form.

Claim 15 was rejected under 35 U.S.C. §112, first paragraph, as purportedly failing to comply with the written description requirement. Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

By the present Amendment, claim 15 has been canceled. Accordingly the issue is now moot.

In addition, claim 1 has been amended to clarify the claimed subject matter.

Withdrawal of the rejections under 35 U.S.C. §112 is respectfully requested.

Claims 1, 2, 4, 6-10, 12, 15 and 16 were rejected under 35 U.S.C. § 103(a) as purportedly anticipated by Gondo (US 5,349,960) and further in view of Bates (US 5,787,049).

Applicant respectfully submits that the present application is now allowable, for at least the reason that Gondo and Bates, already discussed at length in the record (the entire contents of which discussion is incorporated herein), does not disclose or suggest the aspects of the present application that (a) the connection change over switch is configured for each of the third predetermined number of ultrasonic wave transmission and reception channels to be connectable to a corresponding subset of plural ones of the vibrator elements, and (b) a number, equal to the second or third predetermined number, of vibrator elements are used to focus ultrasonic wave beams at a time. Each of independent claims 1 and 2 has been amended to more clearly recite

such aspects. As pointed out in the September 1, 2009 Advisory Action, such aspects in which a plurality of vibrator elements are connectable to a channel are shown in Fig. 4 of the present application and are different from the cited art.

Applicant submits that the cited art, even when considered along with common sense and common knowledge to one skilled in the art, does **NOT** render unpatentable the above-mentioned aspects of the present application.

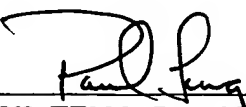
Accordingly, applicant respectfully submits that independent claims 1 and 2, and the claims depending therefrom, are allowable over the cited art.

Accordingly, applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such petition. The Patent Office is hereby authorized to charge any required fees, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



PAUL TENG, Reg. No. 40,837
Attorney for Applicant
COOPER & DUNHAM LLP
Tel. (212) 278-0400